

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 143-148 are currently pending. Claims 143 and 146 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 143-148 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,148,154 to MacKay et al. (hereinafter, merely "MacKay") in view of U.S. Patent No. 5,537,528 to Takahashi et al. (hereinafter, merely "Takahashi") in view of U.S. Patent No. 5,649,171 to Craven et al. (hereinafter, merely "Craven") and further in view of U.S. Patent No. 5,544,318 to Schmitz et al. (hereinafter, merely "Schmitz").

Applicants respectfully traverse these rejections.

Independent claim 146 is representative and recites, *inter alia*:

“setting an enable/disable flag for each clip the enable/disable flag being set to enable when the clip video data has been produced as a result of editing and the enable/disable flag is set to disable when the clip video data has not been produced as a result of editing, or when the clip video data is changed so that the clip video data does not correspond to actual edit content of the resultant clip”

In an aspect of the invention as claimed in claim 146, each clip has associated therewith an enable/disable flag for a specific purpose as a result of editing. In particular, the enable/disable flag is a flag showing whether the clip is enable or disable. When the clip is enable, the code "E" is registered, and when the clip is disable, the code "D" is registered. In connection, when the content of edit specified has been executed and the clip video data has been produced as a result of edit, the enable flag is registered. when the content of edit has not been executed and the clip video data has not been produced, or if although the content of edit has been once executed, thereafter the content of edit and the clip being material is changed so that the clip video data does not correspond to the actual edit content, the disable flag is registered. In addition, the enable/disable flag is provided as a clip management data, so that when the database for clip management data is referred, it can be easily understood whether the clip is enable or disable. Publ. App. par. [0241]

This feature is not disclosed by Mackay, Takahashi, Craven and Schmitz.

For reasons similar or somewhat similar to those described above with regard to independent claim 146, independent claim 143 is also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 143-148 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

Paul A. Levy
Reg. No. 45,748
(212) 588-0800